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January 6, 2004

## FAX TRANSMISSION COVER SHEET

To: Examiner Jan Ludlow Telephone: (703) 308-4039 Fax Number: (703) 872-9311  
**United States Patent and Trademark  
Office**

From: Nan Wu Client-Matter Number: 1010441-991272  
415-836-2531

Re: U.S. Patent Application No. 09/834,300, filed April 12, 2001

Pages: - 2 - (including this form) Originals:  will be mailed  will not be mailed

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## Message:

Please see attached.

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(Form Rev. 6/5/00)

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153 Townsend Street, Suite 800  
San Francisco, CA 94107-1907  
[www.graycary.com](http://www.graycary.com)  
O] 415-836-2531  
F] 415-836-2501

January 6, 2004  
*Via Facsimile*

Our File No.: 1010441-991272

Ms. Jan M. Ludlow  
Primary Examiner  
Art Unit 1743  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: U.S. Patent Application No. 09/834,300  
Filed: April 12, 2001

Dear Examiner Ludlow:

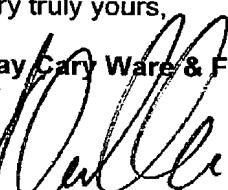
I understand from our conversation today (January 6, 2004) that all the pending claims under examination in the U.S. Application No. 09/834,300 have been allowed. Based on this information, we will not file a Notice of Appeal for the subject application by the final deadline of January 15, 2004.

Please let me know if my understanding of the situation is not correct.

Thanks for your attention to this matter.

Very truly yours,

Gray Cary Ware & Freidenrich LLP

  
Nan Wu, M.D., Ph.D., J.D.  
[nwu@graycary.com](mailto:nwu@graycary.com)

NW:tlm

Gray Cary|SF|3096947.1  
1010441-991272